REMARKS

I.   Status of the Claims:

Claims 1-24 are currently pending.

By this Amendment, claim 1 has been amended and claim 2 has been canceled without prejudice or disclaimer. No new matter has been introduced by this Amendment.

Upon entry of this Amendment, claims 1 and 3-24 would be pending.

II.   Rejection Under 35 U.S.C. §102(e):

Claims 1-24 have been rejected under 35 U.S.C. §102(e) as being anticipated over Bakhle et al. (U.S. Patent No. 6,061,092).

1.   Claim 1:

Claim 1, as amended, is directed to an arrangement in which the signal processing device selects an image sensing time of the different image sensing times of the first image sensing operations executed the plurality times of image sensing operations in response to the instruction of the instruction device, and performs the second image sensing operation for the plurality times of image sensing operations in accordance with the selected image sensing time, and further processes the plurality of sensed image signal obtained with the different image sensing times by the sensed image signal obtained by the second image sensing operation.

Bakhle is directed to video camera which generates a stream of video frames each including a header with dark column reference data, and performs image processing, e.g., DFPN cancellation, for each frame using "pre-stored " dark images in a cache which correspond to the dark column reference data of a frame to be processed. The cache of dark images is initially populated during an initialization state (different from steady state operation of the camera system) in which dark images taken under a variety of operating environments and stored, and

updated upon a significant change in operating environment (e.g., dark column reference data has changed significantly) via additional dark images maintained at the host or through acquisition of dark image for the changed operating environment. See Col. 6 and 7.

Bakhle is silent as to any signal processing device configured to perform each first image sensing operation along with a corresponding second image sensing operation. In fact, Bakhle teaches away from such an arrangement. It necessarily follows that Bakhle also does not disclose or suggest any capability of performing the second image sensing operation for the plurality times of image sensing operations in accordance with the selected image sensing time for the first image sensing operations.

Accordingly, claim 1, as amended, are believed to be distinguishable over the cited reference.

2.   Claim 12:

Claim 12 is directed to an apparatus which includes an image sensing device, a signal processing device and an instruction device. The signal processing device performs a first image sensing operation for making the image sensing device perform an image sensing operation in a exposure state to obtain a sensed image signal, and a second image sensing operation for making the image sensing device perform an image sensing operation in a non-exposure state to obtain a sensed image signal. The signal processing device also processes the sensed image signal obtained by the first image sensing operation by the sensed image signal obtained by the second image sensing operation. The instruction device instructs to execute a predetermined plurality times of image sensing operations with different image sensing times of the first image sensing operation. The signal processing device inhibits the second image

sensing operation from being made for each image sensing operation in response to the instruction of the instruction device.

As previously discussed, Bakhle is directed to video camera which generates a stream of video frames each including a header with dark column reference data, and performs image processing, e.g., DFPN cancellation, for each frame using "pre-stored" dark images in a cache which correspond to the dark column reference data of a frame to be processed. The cache of dark images is initially populated during an initialization state (different from steady state operation of the camera system) in which dark images taken under a variety of operating environments and stored, and updated upon a significant change in operating environment (e.g., dark column reference data has changed significantly) via additional dark images maintained at the host or through acquisition of dark image for the changed operating environment. See Col. 6 and 7.

Even assuming that Bakhle, as relied upon by the Examiner, shows processing circuitry capturing video frames with an open shutter after an updated dark image is captured, this rationale still does not address or teach the processing circuitry "inhibiting" the acquisition of dark image. See Office Action, pages 2 and 8-9.

Accordingly, Bakhle is silent as to any capability of the signal processing device to inhibit the second image sensing operation (e.g., non-exposure state) from being made for each image sensing operation in response to the instruction of the instruction device. Further, the Office Action does not address the language of claim 12, namely, the "inhibiting" phrase with sufficient particularity, e.g., where such inhibiting is taught in Bakhle and by what instruction device and instruction. See Office Action, pages 2 and 8-9 (discussing the capability of changing a second image sensing operation to a first image sensing operation).

As such, Bakhle does not disclose or suggest a signal processing device inhibiting

the second sensing operation from being made for each image sensing operation in response to

the instruction of the instruction device. Accordingly, claim 12 and its dependent claims are

distinguishable over the cited reference.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request

reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may

be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No.
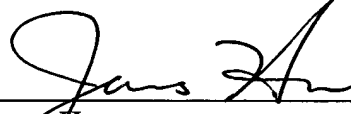
1232-4602.

In the event that an extension of time is required, or which may be required in

addition to that requested in a petition for an extension of time, the Commissioner is requested to

grant a petition for that extension of time which is required to make this response timely and is

hereby authorized to charge any fee for such an extension of time or credit any overpayment for

an extension of time to Deposit Account No. 13-4500, Order No. 1232-4602.

Respectfully submitted,
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Dated: 9/20/04   By: _____

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